

**COMMONWEALTH OF VIRGINIA  
DEPARTMENT OF ENVIRONMENTAL QUALITY  
WATER DIVISION**

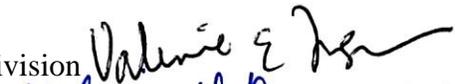
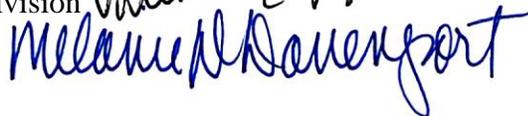
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**Subject:** **Water Guidance Memo No. 15-2002**  
Use of Contact Hours for ESC or SWM Recertification

**To:** Regional Directors

**From:** Valerie E. Thomson, Director, Administration Division   
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**Date:** **March 5, 2015**

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**Summary**

The purpose of this guidance is to provide detail on recertification using contact hours for individuals with certifications issued by the Commonwealth of Virginia in Stormwater Management (SWM) or Erosion and Sediment Control (ESC) and establish a contact hour recording and auditing procedure.

This guidance establishes the number of contact hours for recertification. These hours range from 12 to 24 depending on certificate classification type. In addition, this guidance provides criteria for the eligibility of training courses to be utilized as contact hours for recertification, including the time period during which these courses may be taken. It also establishes a system of recording these contact hours in DEQ's Certification Accreditation Tracking System ([CATS](#)) and the procedure for auditing of these contact hours by DEQ Training Staff.

**Electronic Copy**

An electronic copy of this guidance in PDF format is available on DEQ's website at:  
<http://www.deq.virginia.gov/ConnectWithDEQ/TrainingCertification.aspx>

**Contact Information**

Please contact [certification@deq.virginia.gov](mailto:certification@deq.virginia.gov) with any questions you have regarding the application of this guidance.

**Disclaimer:**

**This document is provided as guidance and, as such, sets forth standard operating procedures for the agency. However, it does not mandate or prohibit any particular action not otherwise required or prohibited by law or regulation. If alternative proposals are made, such proposals will be reviewed and accepted or denied based on their technical adequacy and compliance with appropriate laws and regulations.**

**I. Introduction**

The Virginia Stormwater Management Act (§ [62.1-44.15:30](#)) requires personnel working for a Virginia Stormwater Management Program (VSMP) authority, including anyone who is contracted by a VSMP authority, to obtain and maintain a certificate of competence from the State Water Control Board in the area of stormwater management. Professionals registered in the Commonwealth pursuant to Article 1 (§ [54.1-400](#) et seq.) of Chapter 4 of Title 54.1 shall be deemed to have met the provisions of this section for the purposes of renewals. The Department of Environmental Quality (DEQ) is required by the Act to administer a stormwater management training and certification program.

The Erosion and Sediment Control Law (§ [62.1-44.15:52](#)) requires personnel working for a Virginia Erosion and Sediment Control Program (VESCP) authority, including anyone who is contracted by a VESCP authority, to obtain and maintain a certificate of competence from the State Water Control Board in the area of erosion and sediment control. Any person employed as a plan reviewer who is licensed as a professional engineer, architect, certified landscape architect, land surveyor, or professional soil scientist shall qualify as a certified plan reviewer for ESC and will not require a certificate of competence from the Board. DEQ is required by the law to administer an erosion and sediment control training and certification program.

The Erosion and Sediment Control and Stormwater Management Certification Regulations ([9VAC25-850-50](#)) subsection C details recertification requirements for certified individuals including completing professional education hours in accordance with the guidance provided in this document.

**II. Definitions**

The following are terms defined in § [62.1-44.15:24](#) and § [62.1-44.15:51](#):

"Virginia Stormwater Management Program authority" or "VSMP authority" means an authority approved by the Board after September 13, 2011, to operate a Virginia Stormwater Management Program or the Department. An authority may include a locality; state entity, including the Department; federal entity; or, for linear projects subject to annual standards and specifications in accordance with subsection B of § [62.1-44.15:31](#), electric, natural gas, and telephone utility companies, interstate and intrastate natural gas pipeline companies, railroad companies, or authorities created pursuant to § [15.2-5102](#).

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"Virginia Erosion and Sediment Control Program authority" or "VЕСP authority" means an authority approved by the Board to operate a Virginia Erosion and Sediment Control Program. An authority may include a state entity, including the Department; a federal entity; a district, county, city, or town; or for linear projects subject to annual standards and specifications, electric, natural gas, and telephone utility companies, interstate and intrastate natural gas pipeline companies, railroad companies, or authorities created pursuant to § [15.2-5102](#).

"Certification" means the process whereby the board, on behalf of the Commonwealth, issues a certificate to persons who have completed board-approved training programs and met any additional eligibility requirements of 9VAC25-850-50 related to the specified classifications (9VAC25-850-40) within the areas of ESC or SWM or in other ways demonstrated adequate knowledge and experience in accordance with the eligibility requirements of 9VAC25-850-50 in the specified classifications within the areas of ESC or SWM.

### **III. Authority**

This document provides guidance to implement the recertification provisions of the Erosion and Sediment Control and Stormwater Management Certification Regulations ([9VAC25-850-50](#)).

The authority for promulgation of these regulations and development of this guidance is contained in §[62.1-44.15:30](#) and §[62.1-44.15:52 through :53](#) of the Code of Virginia.

### **IV. Background**

Under regulation [9VAC25-850-50](#) subsection C, recertification may be obtained by:

1. Obtaining a passing score on the recertification examination,
2. Completing a board-approved training program during the last 12 months of the term of the certificate,
3. Being a licensed professional and maintaining this license, or
4. Completing continuing professional education hours in accordance with department guidance.

This guidance provides a mechanism for recertification using professional education hours, hereafter referred to as contact hours.

## **V. Guidance**

The mechanism for recertification using contact hours is completion of the following number of contact hours for each type of certification:

- 12 contact hours for Stormwater Management (SWM) or Erosion & Sediment Control (ESC) or Dual Program Administrators
- 18 contact hours for SWM or ESC or Dual Inspectors
- 21 contact hours for SWM or ESC or Dual Plan Reviewer
- 24 contact hours for SWM or ESC or Dual Combined Administrator

One hour of instruction equals one contact hour. One day of training equals six (6) contact hours. For college and university courses, a one semester credit hour equals 15 contact hours and one quarter credit hour equals 10 contact hours.

Licensed professionals can recertify by entering their license number and paying the recertification fee in the Certification Accreditation Tracking System (CATS) without entering contact hours. Professional Engineers, Architects, Land Surveyors, Landscape Architects are exempt from needing contact hours for ESC, SWM, and Dual certifications. Soil Scientists are exempt from needing contact hours for ESC.

Contact hours may be obtained by attending or instructing seminars, webinars, online courses, classroom courses, or university courses that:

- Are completed within three years of the certification expiration date to be eligible. (For example: If an ESC Inspector certification expires in May 2015; courses taken between May 2012 and May 2015 are eligible).
- Have a clear purpose and objective.
- Are relevant to the certification type. Contact hours are relevant if they maintain, improve or expand the skills and knowledge relevant to the certification being renewed.
- Are provided by DEQ or by a third-party.
  - DEQ courses will be labeled as suitable for recertification or not. Stormwater Management and Erosion & Sediment Control certification classes are relevant to either certification.
  - When claiming contact hours for non-DEQ training events, the certificate holder should record: (1) the instructor's and/or vendor's name, (2) course name, (3) delivery date, and (4) contact hours or equivalent; and be able to provide completion documentation if audited.
- Are applied towards other certifications (for example a professional engineer or soil scientist certification) for their SWM or ESC recertification. However, the individual is responsible for ensuring that utilizing the contact hours for SWM or ESC certification is not restricted or prohibited by the other certification-issuing authority.

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Certificate holders are responsible for:

- Determining course relevance; and if audited, certificate holders will be asked to justify how a particular training event is relevant and provide completion documentation.
- Maintaining all records of relevant training that will be used for recertification. Records may include items such as training certificates, class rosters or records of attendance maintained by the individual or at the individual's training or human resources office, or any other such items that can serve as proof that the certificate holder attended the training.
- Entering all contact hours into the Certification Accreditation Tracking System ([CATS](#)), and completing their recertification prior to expiration.

Contact hours are used in the Certification Accreditation Tracking System ([CATS](#)) at the time of recertification. DEQ recommends recording contact hours on your CATS profile on an ongoing basis.

DEQ has the option of auditing the contact hours recorded in CATS for recertification and may request to review an individual's records at any time.

In cases where audits reveal discrepancies, DEQ will contact the certificate holder and ask for more information and provide the individual with an opportunity to correct any errors. Failure to correct errors or failure to correct them in time (prior to expiration) will result in the individual being required to pass an additional certification exam in order to obtain a new certificate.

Certificates are valid for three years and recertification can be done during the last year of a person's certification period. Note that the new certificate will expire three years from the previous expiration date and not the date of recertification.

Candidates should recertify early in order to leave sufficient time to correct any errors that may occur. A candidate will not be allowed to recertify after the certification expiration date. After the certification expiration date, a candidate will be required to achieve a passing score on the exam and obtain a new certificate.

Additionally, the DEQ may suspend, revoke or refuse to grant or renew the certification of any person if the DEQ, in an audit or any other informal fact finding under § 2.2-4019 of the Code of Virginia, finds that the certification was obtained or renewed through fraud or misinterpretation.